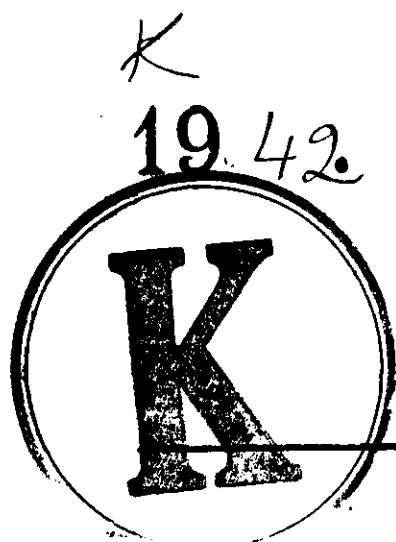




File No. Prohibition II/42

Legal

DEPARTMENT

B. BRANCH

p. 3 (E)

Subject:—

Rules and Notifications
under the Bombay Abkari
Act 1878
(in connection with Prohibition)

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(1)	<u>G.No. 208</u> 9-1-42.	Rules and Notification under the Bombay Akbari Act, 1878. Delegation of power of exports and import of intoxicants	1 - 3.

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11680
14-12-41.

Submitted with reference to R.D.
note dated 15th December 1941 at p.133 ante.

2. In view of the position created by the decision of the High Court refusing permission for an appeal to the Federal Court in Dattar case, it was proposed to approach the Govt. of India to delegate to the Govt. of Bombay their power of regulating the import and export of intoxicants across the customs frontier through a customs port or a land customs station. For the reasons stated in R.D. office note dated 8th December 1941 at p.132 ante it is considered that according to the view taken by the Govt. of India in their ~~xxxx~~ letter dated 17th October 1941 the Govt. would not be inclined to delegate their ~~is~~ power to the Provincial Govt. It has ~~xxxx~~ therefore been decided by Govt. that at the present stage no further action can be taken in this connection. The decision arrived at is shown to the R.L.A.

3. It will be seen from para.2 of A(P)'s note dated 15th April 1941 at p.127 ante that Govt. is also not in favour of moving the Governor General to make a reference to the Federal Court under section 213 of the Govt. of India Act, 1935.

4. If approved the papers may be seen and returned to R.D.

5. The L.D. papers may be retained in this Deptt. as they are no longer required by R.D. A copy of R.D. notes at pp.131-133 ~~is to be sent~~ to L.D. records.

Offices of the R.T.A.

Seen and returned to the Revenue Department.

R^emembrancer of Legal Affairs.

U.R. to R.D. No. 208 , dated the 9th January 1942.

B.

Sd.
2nd May 1956.

S.C.
2nd May